

UNITED STATES DISTRICT COURT
Eastern District of Michigan

UNITED STATES OF AMERICA

v.

Aria Omar Sabit

Date of Original Judgment: 01/23/2017

(Or Date of Last Amended Judgment)

Reason for Amendment:

- Correction of Sentence on Remand (18 U.S.C. 3742(f)(1) and (2))
 Reduction of Sentence for Changed Circumstances (Fed. R. Crim. P. 35(b))
 Correction of Sentence by Sentencing Court (Fed. R. Crim. P. 35(a))
 Correction of Sentence for Clerical Mistake (Fed. R. Crim. P. 36)
 Other: ADDING RESTITUTION ORDER

-) AMENDED JUDGMENT IN A CRIMINAL CASE
)
) Case Number: 0645 2:14CR20779 (1)
) USM Number: 50612-039
) Timothy Lessing, Arthur Weiss
) Defendant's Attorney
)
) Modification of Supervision Conditions (18 U.S.C. §§ 3563(c) or 3583(e))
) Modification of Imposed Term of Imprisonment for Extraordinary and
) Compelling Reasons (18 U.S.C. § 3582(c)(1))
) Modification of Imposed Term of Imprisonment for Retroactive Amendment(s)
) to the Sentencing Guidelines (18 U.S.C. § 3582(c)(2))
) Direct Motion to District Court Pursuant 28 U.S.C. § 2255 or
) 18 U.S.C. § 3559(c)(7)
) Modification of Restitution Order (18 U.S.C. § 3664)

THE DEFENDANT:

pleaded guilty to count(s) 1s - 5s

pleaded nolo contendere to count(s) _____ which was accepted by the court.

was found guilty on count(s) _____ after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18 UCS §§ 1347 & 1347(a)(2)	Health Care Fraud	11/21/2014	1s-4s

21 UCS §§ 841(a)(1) and 841 (b)(1)(C) Unlawful Distribution of a Controlled Substance 10/22/2012 5s

The defendant is sentenced as provided in pages 2 through 11 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on count(s) _____

Count(s) _____ is are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

SEP 14 2018

Date of Imposition of Judgment

Signature of Judge

Paul D. Borman, U.S. District Judge

Name and Title of Judge

SEP 14 2018

Date



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IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:

235 months, each count, concurrent and concurrent to the sentence imposed in Docket Number 15-CR-20311.

The court makes the following recommendations to the Bureau of Prisons:

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:

at _____ a.m. p.m. on _____.

as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

before 2 p.m. on _____.

as notified by the United States Marshal.

as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____ with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

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SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of:

Cts. 1s - 4s, 3 years, each count, concurrent; Ct. 5s, Life, concurrent. All counts concurrent to the sentence imposed in Docket Number 15-CR-20311.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
 5. You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
 6. You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
 7. You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

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STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: www.uscourts.gov.

Defendant's Signature _____

Date _____

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SPECIAL CONDITIONS OF SUPERVISION

- The defendant shall participate in the home confinement program for a period of _____.
 The cost of electronic monitoring is waived.
- The defendant shall make monthly payments on any remaining balance of the:
 restitution, fine, special assessment
at a rate and schedule recommended by the Probation Department and approved by the Court.
- The defendant shall not incur any new credit charges or open additional lines of credit without the approval of the probation officer.
- The defendant shall provide the probation officer access to any requested financial information.
- The defendant shall participate in a program approved by the Probation Department for mental health counseling.
 If necessary.
- The defendant shall participate in a program approved by the Probation Department for substance abuse, which program may include testing to determine if the defendant has reverted to the use of drugs or alcohol.
 If necessary.

Additional Terms of Special Conditions:

The defendant will not be employed, in any capacity, in the medical profession. This restriction will cover the practice of medicine, owning/operating a medical clinic, conducting any medical research, consulting as an expert, manufacturing or participating in the manufacture of any medical devices, membership in any physician owned distributorships and any employment in any capacity in any medical facility.

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CRIMINAL MONETARY PENALTIES

The defendant must pay the following total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>JVTA Assessment*</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 500.00	\$	\$	\$ 1,976,532.44

- The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.
- The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss**</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
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See following pages.

TOTALS	\$ <u>0.00</u>	\$ <u>0.00</u>
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- Restitution amount ordered pursuant to plea agreement \$ _____
- The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- The court determined that the defendant does not have the ability to pay interest, and it is ordered that:
- the interest requirement is waived for fine restitution.
- the interest requirement for the fine restitution is modified as follows:

* Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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ADDITIONAL TERMS FOR CRIMINAL MONETARY PENALTIES

The Court waives the imposition of a fine, the costs of incarceration and the costs of supervision, due to the defendant's lack of financial resources.

While in custody, the defendant shall participate in the Inmate Financial Responsibility Program (IFRP). The Court is aware of the requirements of the IFRP and approves the payment schedules of this program and hereby orders the defendant's compliance.

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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A Lump sum payment of \$ 500.00 due immediately, balance due
 not later than _____, or
 in accordance with C, D, E, or F below; or
- B Payment to begin immediately (may be combined with C, D, or F below); or
- C Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

- Joint and Several

Defendant and Co-Defendant Names and Case Numbers (*including defendant number*), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- The defendant shall pay the cost of prosecution.
 The defendant shall pay the following court cost(s):
 The defendant shall forfeit the defendant's interest in the following property to the United States:

See next page.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) JVTA assessment, (8) penalties, and (9) costs, including cost of prosecution and court costs.

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ADDITIONAL FORFEITED PROPERTY

- \$200,498.60 seized from Comerica Bank account number #6823626608
- \$251,192.97 seized from Comerica Bank account number 6823625725
- \$251,196.27 seized from Comerica Bank account number 6823625840
- \$17,860.46 seized from PNC Bank account number 4263698533

Property Related to Realty

- Defendant forfeits any interest he may have in the the proceeds from the sale of real estate located at 3645 Lahser Road, Bloomfield Hills, Michigan being more fully described as:
 - 3645 Lahser Road, Bloomfield Hills, Michigan, and being more fully described as:
Lots 12 and 13, Assessor's Plat No. 2, as recorded in Liber 50, on Page 13 of Plats, Oakland County Records.

ALSO

The easterly portion of Lahser Road, lying between the user-defined and presently traveled width thereof and the Westerly lines of Lots 12 and 13 of Assessor's Plat No. 2, which portion is located and lying between the Northerly and Southerly lines, as extended, of Lots 12 and 13 of Assessor's Plat No. 2, of part of the West 1/2 of the Northwest 1/4 of Section 15, Town 2 North, Range 10 East, City of Bloomfield Hills, Oakland County Records.

Commonly known as: 3645 Lahser Road, Bloomfield Hills, MI 48304

Tax Parcel No: 19-15-151-005

	Restitution ordered encompassing restitution ordered in 15-cr-20311		Page 10 of 11
<u>Restitution payee</u>	<u>Address</u>	<u>Amount of restitution</u>	<u>Priority</u>
Vincenta Aguirre, ESTATE OF	on file	\$4,412.80	1
Marilyn Anderson	on file	\$814.15	1
Shannon Buhro	on file	\$507.68	1
Leslie Burgess	on file	\$239.20	1
Lewis Chapman	on file	\$2,230.92	1
Claudia Cieslikowski	on file	\$13,184.14	1
William V. Clark, Jr.	on file	\$3,622.00	1
Jessie Cobb	on file	\$240.92	1
Carol Cole	on file	\$683.89	1
John T. Crawford	on file	\$4,867.10	1
Lloyd A. Dorsey, II	on file	\$60.00	1
Hugh Fosdick	on file	\$157.00	1
Bruce L. Gaines, II	on file	\$12,126.75	1
Derlene Gibson	on file	\$2,700.00	1
Clara Glosson	on file	\$2,500.00	1
Sandra Graziano-Mackey	on file	\$5,543.00	1
Fred Haynes, III	on file	\$10,104.23	1
Daniel L. Herrington	on file	\$53,904.14	1
Beatrice Hockey	on file	\$1,303.97	1
Ellen L Howell	on file	\$3,000.00	1
Barbara Johnson	on file	\$290.56	1
Monti Kelly	on file	\$2,413.50	1
Tijuana Morris	on file	\$6,235.66	1
Dale Pincumbe	on file	\$4,527.80	1
Tonocca Scott	on file	\$673.40	1
Jean Sherman	on file	\$1,005.31	1
Gabrielle Smith (Gratz)	on file	\$3,024.50	1
Mary Smith	on file	\$4,714.69	1
Cynthia Smith-Hallett	on file	\$26,999.86	1
Manuel Soliz	on file	\$5,285.42	1
Dawn Stewart	on file	\$4,000.00	1
Carolyn Theisen	on file	\$3,389.42	1
Jural VanBuren	on file	\$6,138.91	1
Marceilia Watkins	on file	\$6,250.00	1
Kevin Welch	on file	\$6,199.68	1
Affirmative Action Insurance Company	c/o Julie Wadley 4450 Sojourn Drive Addison, Texas 75001	\$12,163.82	2

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State Farm Insurance Company	c/o Michael Bahm P.O. Box 52257 Phoenix, Arizona 85072-2257	\$20,383.00	2
Transguard Insurance Company	c/o Nancy Bohelski 11020 N. Ambassador Drive Kansas City, Missouri 64153	\$25,144.00	2
Accident Fund	c/o Mary DeLuca Office of General Counsel 200 N. Grand Ave. Lansing, Michigan 48933-1228	\$4,069.19	2
Farmers Insurance	c/o Chris Page Box 268993 Oklahoma City, Oklahoma 73126	\$20,000.00	2
Hanover Insurance Company	c/o Bonnie Parenteau SIU Medical Specialist Special Investigations Unit The Hanover Insurance Group 440 Lincoln St Worcester, Ma 01653	\$18,900.00	2
Medicare - CA	Medicare Trust Fund, c/o CMS Office of Financial Management Division of Accounting Operations 7500 Security Blvd. Baltimore, Maryland 21244 Mail Stop C3-09-07	\$1,568,622.00	3
Medicare - MI	Medicare Trust Fund, c/o CMS Office of Financial Management Division of Accounting Operations 7500 Security Blvd. Baltimore, Maryland 21244 Mail Stop C3-09-07	\$68,884.00	3
Medicaid	MDHHS - Cashier's Unit Attn: Bureau of Finance - MCU 235 S. Grand Ave., Ste. 801 P O Box 30437 Lansing, MI 48909	\$35,015.83	3
TOTAL		\$1,976,532.44	